

**REMARKS**

Claims 55-107 are currently pending in the application. Claims 1-54 have been canceled without prejudice. Applicants have withdrawn claims 57-60 and 106-107 without prejudice. Applicants reserve the right to file one or more continuation or divisional applications to any canceled or withdrawn subject matter. Claims 55, 56, 61-105 are therefore pending on the merits upon entry of this paper. No new matter has been added.

**I. Election**

Applicants would first like to point out that the pending claims are directed to compounds of formula III, IV, and V not compounds of I and II as stated on page 2 of the office action.

Applicants elect the compound of formula III as recited in claim 55. Applicants elect the single species encompassed by formula III with traverse, wherein:

$R^{11}$  is  $-(CH_2)_{11}CH_3$ ;

$X^{11}$  is O;

$X^{12}$  is O;

$R^{12}$  is  $-(CH_2)_{11}CH_3$ ;

$X^{13}$  is O;

n is 0; and

$R^{13}$  is an anticancer agent, specifically gemcitabine.

Applicants respectfully submit that a single search of  $(C_1-C_{16})$ alkyl would necessarily encompass all of the species recited by  $R^{11}$  and  $R^{12}$  in claim 55. Moreover, Applicants further submit that a search of anticancer agents would necessarily encompass the anticancer agents recited by the pending claims.

Applicants respectfully submit that claims 55, 56 and 61-105 are readable on the elected species.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this

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application, including fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time, fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

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